



Gp 1613 #5
PATENT
A 2/3/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	J. Pineiro, et al.	
Serial No.:	09/392,406	Case No.: T1427
Filed:	September 9, 1999	
For:	INDOLE AND INDOLINE DERIVATIVES AS 5-HT6 SELECTIVE LIGANDS	

Art Unit:
1613

Examiner:
D. Lambkin

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
JAN 21 2000

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Restriction Requirement that was sent December 13, 1999, the applicants make the following elections, with traverse.

Group I, drawn to compounds of Formula I, and their methods of use, where R1 and R2 do not form a ring, is elected. It is not clear from the Restriction Requirement whether an election of species is also required. If an election of species is required, then the first compound listed in Claim 16 is elected:

2-[1-(benzenesulphonyl)-1H-indol-4-yl]ethylamine.

Applicants respectfully traverse this restriction requirement and in particular the number of restricted groups. The examiner states that there would be an undue burden on the examiner to search all of the claimed compounds. However, with 15 groups of compounds, there is an undue burden on the applicants, both with respect to the time required to file 14 divisionals and the cost of filing 14 additional applications.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

By James H. Smith Date Jan. 13, 2000
MERCK & CO., INC.